

1 JUDGE FRANKLIN D. BURGESS
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 UNITED STATES OF AMERICA,) NO. CR06-5535FDB
9)
10 Plaintiff,) ORDER GRANTING UNOPPOSED
11 vs.) MOTION TO CONTINUE TRIAL
12) DATE
13 BRIAN FREDERICH-TIBBETS,)
14 RAMON NAVARRO-LOPEZ,)
15 Defendants.)
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17 Based on the stipulated motion of the parties to continue the trial date, and the
18 affidavit of defense counsel in support of the motion, the Court makes the following
19 findings of fact and conclusions of law:

20 1. The ends of justice served by granting this continuance outweigh the best
21 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

22 2. Proceeding to trial absent adequate time for the defense to prepare would
23 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).

24 3. The defense needs additional time to fully explore all issues related to trial, as
25 well as all defenses applicable to the case, which would make it unreasonable to expect
26 adequate preparation for pretrial proceedings or for trial itself within the time limits
established by the Speedy Trial Act and currently set for this case. 18 U.S.C. §
3161(h)(8)(B(ii)).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation of his defense.
3 18 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from January 16, 2007
6 to March 12, 2007. The resulting period of delay from January 16, 2007, up to and
7 including the new trial date of March 12, 2007, is hereby excluded for speedy trial
8 purposes under 18 U.S.C.

9 § 3161(h)(8)(A) and (B).

10 DONE this 8th day of January, 2007.



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14 FRANKLIN D. BURGESS
15 UNITED STATES DISTRICT JUDGE
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18 Presented by:

19 /s/ _____

19 /s/ _____

20 Linda R. Sullivan

20 David Jennings

21 Attorney for Defendant

21 Assistant United States Attorney